#### UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY	)
AVERAGE WHOLESALE PRICE	) MDL No. 1456
LITIGATION	) CIVIL ACTION: 01-CV-12257-PBS
	)
THIS DOCUMENT RELATES TO:	) Judge Patti B. Saris
ALL ACTIONS	
ALL ACTIONS	)
	)

# **NOTICE OF FILING UNDER SEAL**

To: All Counsel of Record

Please take notice that on April 28, 2006, we, as attorneys for plaintiffs, caused to be filed under seal with the Clerk of the United States District Court for the District of Massachusetts the following items:

- 1. Reply Declaration of Raymond S. Hartman in Support of Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants;
- 2. Plaintiffs' Reply Memorandum in Support of Motion for Partial Summary Against Defendant BMS;
- 3. Plaintiffs' Reply in Support of Summary Judgment Against Johnson & Johnson;
- 4. Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply in Support of Summary Judgment Against Johnson & Johnson;
- 5. Plaintiffs' Reply to Schering-Plough Corporation's and Warrick Pharmaceutical Corporation's Memorandum in Opposition to Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants and Responses to Plaintiffs' L.R. 56.1 Statement of Undisputed Material Facts in Support of Motion for Partial Summary Judgment Against All Track 1 Defendants;

- 6. Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply to Schering-Plough Corporation's and Warrick Pharmaceutical Corporation's Memorandum in Opposition to Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants and Responses to Plaintiffs' L.R. 56.1 Statement of Undisputed Material Facts in Support of Motion for Partial Summary Judgment Against All Track 1 Defendants;
- 7. Plaintiffs' Reply in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex;
- 8. Opposition to AstraZeneca Pharmaceutical LP's Counter Statement To Plaintiffs' Local Rule 56.1 Statement in Support of Plaintiffs' Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex;
- 9. Declaration of Kenneth A. Wexler Filed in Connection With Plaintiffs' Reply in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex;
- 10. Plaintiffs' Reply As to AstraZeneca Pharmaceuticals LP's Supplemental Memorandum of Law in Opposition to Class Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses;
- 11. Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply as to AstraZeneca Pharmaceuticals LP's Supplemental Memorandum of Law in Opposition to Class Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses;
- 12. Reply Memorandum in Further Support of Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses; and
- 13. Reply Declaration of Steve W. Berman in Support of Reply Memorandum in Support of Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses.

DATED: April 28, 2006

## By /s/ Steve W. Berman

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## **CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **NOTICE OF FILING UNDER SEAL** be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on April 28, 2006, a copy to LexisNexis File and Serve for Posting and notification to all parties

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